

REGULAR

ORDINANCE NO. 243.2

TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
MILPITAS AMENDING CHAPTER 210 OF TITLE I OF THE MILPITAS
MUNICIPAL CODE RELATED TO DISBURSEMENT OF EXCESS
CAMPAIGN FUNDS

HISTORY: This Ordinance was introduced (first reading) by the City Council at its meeting of _____, upon motion by Councilmember _____ and was adopted (second reading) by the City Council at its meeting of _____, upon motion by Councilmember _____. Said Ordinance was duly passed and ordered published in accordance with law by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

Gail Blalock, City Clerk_____
Jose S. Esteves, Mayor

APPROVED AS TO FORM:

Steven T. Mattas, City Attorney

WHEREAS, the City Council wishes to prevent the transfer of campaign contributions from one candidate to another candidate; and

WHEREAS, the City Council has determined that Chapter 210 of Title I of the Milpitas Municipal Code should be amended to comply with federal and state law regarding campaign contributions and expenditures; and

NOW THEREFORE, the City Council of the City of Milpitas does hereby ORDAIN as follows:

Section 1. Subsection (d) of Section I-210-3.10 is hereby deleted and a new subsections (d) is hereby added to Section I-210-3.10 as follows:

(d) Candidates for elective office may not transfer funds into a candidate or elective officer's campaign committee from any other committee controlled by a candidate where the transfer of funds would result in a transfer from one candidate to another.

Section 2. Section I-210-4.20 is hereby deleted.

Section 3. **Severability.** If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of this ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this ordinance are severable. The City Council of the City of Milpitas hereby declares that it would have passed each section, subsection, paragraph, sentence, clause or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid or unenforceable.

Section 4. **Effective Date.** In accordance with California Government Code section 36937, this ordinance shall take effect and be in force on the thirty-first day after adoption.

Section 5. **Publication.** Within fifteen days after the passage of this ordinance the City Clerk shall cause this ordinance to be published once, with the names of those City Councilmembers voting for or against it, in the _____, a newspaper of general circulation in the City of Milpitas, as required by law.